

1  
2 THE HONORABLE THOMAS S. ZILLY  
3  
4



5 09-CV-00540-APP  
6  
7

8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON AT SEATTLE  
10 LOCALS 302 AND 612 OF THE  
INTERNATIONAL UNION OF  
OPERATING ENGINEERS  
CONSTRUCTION INDUSTRY HEALTH  
AND SECURITY FUND; et al.,  
11 Plaintiffs,  
12 v.  
13

14 NO. C09-0540-TSZ  
15  
16

[PROPOSED] ORDER GRANTING PLAINTIFFS'  
MOTION FOR SUMMARY JUDGMENT

FRED HILL MATERIALS, INC., a  
Washington corporation,

Defendant.

17 THIS MATTER coming to be heard upon Plaintiffs' Motion for Summary Judgment,  
18 Plaintiff appearing through its attorney, Russell J. Reid of Reid, Pedersen, McCarthy &  
19 Ballew, L.L.P., and Defendant appearing through its attorney, Matthew Lind of Sherrard  
20 McGonagle Bohannon & Miller, and the Court being fully advised, now, therefore:  
21

22 IT IS HEREBY ORDERED AND DECREED:  
23 *unopposed*

24 1. Plaintiffs' Motion for Summary Judgment is GRANTED;  
25 2. Judgment is awarded in favor of Plaintiffs' Trust Fund against Defendant, Fred  
26 Hill Materials, Inc., in the amounts hereinafter listed, which amounts are due to the Plaintiffs

Reid, Pedersen, McCarthy & Ballew, L.L.P.  
ATTORNEYS AT LAW

[PROPOSED] ORDER -- C09-0540-TSZ

Page 1 of 2

G:\01-01999\540\Fred Hill Materials 40720 2-09-SJ - Proposed Order.doc

101 ELLIOTT AVENUE WEST • SUITE 550  
SEATTLE, WA 98119  
TELEPHONE: (206) 285-0464 • FAX: (206) 285-8925

for the employment period of February 2009 through April 2009:

- A. \$45,089.50 for contributions;
- B. \$2,148.60 for dues;
- C. \$5,410.74 for liquidated damages;
- D. \$640.52 for interest;
- E. \$417.00 for attorneys' fees; and
- F. \$460.90 for costs.

F. \$460.90 for costs.  
3. This Judgment shall accrue interest on the total unpaid balance at the rate of 0.53% per annum.  
ORDER ENTERED THIS 9<sup>th</sup> day of July, 2009.

ORDER ENTERED THIS 9 day of June, 2009.

**THE HONORABLE THOMAS S. ZILLY**

PRESENTED FOR ENTRY:

REID, PEDERSEN, McCARTHY & BALLEW,  
L.L.P.

Russell J. Reid, WSBA #2560  
Attorneys for Plaintiffs

**Reid, Pedersen, McCarthy & Ballew, L.L.P.**  
ATTORNEYS AT LAW

~~PROPOSED~~ ORDER - C09-0540-TSZ

Page 2 of 2

G:\01-01999\540\Fred Hill Materials 40720 2-09\SJ - Proposed Order.doc

101 ELLIOTT AVENUE WEST • SUITE 550

511 AVENUE WEST  
SEATTLE, WA 98119

TELEPHONE: (206) 285-0464 • FAX: (206) 285-8925

• 55